

Sec. 466.161. IMMUNITY; CIVIL ACTIONS. (a) A sales agent acting in good faith is immune from civil liability for an act or omission within the course and scope of the agent's license under this chapter.

(b) This section does not waive any immunity of the commission or this state.

(c) This section does not create a cause of action against this state, the commission, a commission employee, or a sales agent.

(d) The immunity provided by Subsection (a) does not apply to a cause of action for personal injury or wrongful death.

SECTION 2. Section 466.161, Government Code, as added by this Act, applies only to a civil action filed on or after the effective date of this Act. A civil action filed before the effective date of this Act is governed by the law in effect immediately before the effective date of this Act, and that law is continued in effect for that purpose.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2005.

Passed the Senate on April 21, 2005: Yeas 30, Nays 0; passed the House on May 25, 2005: Yeas 143, Nays 0, two present not voting.

Approved June 17, 2005.

Effective June 17, 2005.

CHAPTER 714

S.B. No. 443

AN ACT

relating to the regulation of industrialized buildings.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Subdivision (2), Section 1202.001, Occupations Code, is amended to read as follows:

(2) "Construction site [~~office~~] building" means a commercial structure that is:

(A) not open to the public; and

(B) used for *any purpose* [~~as an office~~] at a commercial site by a person constructing a building, road, bridge, utility, or other infrastructure or improvement to real property.

SECTION 2. Subsection (d), Section 1202.003, Occupations Code, is amended to read as follows:

(d) An industrialized building includes a permanent commercial structure and a commercial structure designed to be transported from one commercial site to another commercial site *but does not include*:

(1) *a commercial structure that exceeds three stories or 49 feet in height as measured from the finished grade elevation at the building entrance to the peak of the roof; or*

(2) *a commercial building or structure that is:*

(A) *installed in a manner other than on a permanent foundation; and*

(B) *either:*

(i) *not open to the public; or*

(ii) *less than 1,500 square feet in total area and used other than as a school or a place of religious worship.*

SECTION 3. Section 1202.203, Occupations Code, is amended by amending Subsection (b) and adding Subsection (d) to read as follows:

(b) An approved third-party inspector shall perform on-site inspections of industrialized housing ~~[and buildings]~~ to be located outside the municipality.

(d) If required by commission rule, an approved third-party inspector shall perform on-site inspections of industrialized buildings to be located outside the municipality.

SECTION 4. Subsection (b), Section 1202.204, Occupations Code, is amended to read as follows:

(b) The commission by rule shall exempt a construction site ~~[office]~~ building from the requirements of this section.

SECTION 5. Subsection (c), Section 1202.003, Occupations Code, is repealed.

SECTION 6. The changes in law made by this Act apply to any building or structure at a commercial site regardless of the date of installation of that building or structure.

SECTION 7. This Act takes effect September 1, 2005.

Passed the Senate on April 14, 2005: Yeas 31, Nays 0; passed the House on May 20, 2005, by a non-record vote.

Approved June 17, 2005.

Effective September 1, 2005.

CHAPTER 715

S.B. No. 450

AN ACT

relating to the confidentiality of certain personal information regarding the employees of a prosecutor's office or of an office with jurisdiction over child protective services.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. The heading to Section 552.1175, Government Code, is amended to read as follows:

Sec. 552.1175. CONFIDENTIALITY OF ADDRESSES, TELEPHONE NUMBERS, SOCIAL SECURITY NUMBERS, AND PERSONAL FAMILY INFORMATION OF PEACE OFFICERS, COUNTY JAILERS, SECURITY OFFICERS, AND EMPLOYEES OF THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE OR A PROSECUTOR'S OFFICE.

SECTION 2. Subsection (a), Section 552.1175, Government Code, is amended to read as follows:

(a) This section applies only to:

- (1) peace officers as defined by Article 2.12, Code of Criminal Procedure;
- (2) county jailers as defined by Section 1701.001, Occupations Code;
- (3) current or former employees of the Texas Department of Criminal Justice or of the predecessor in function of the department or any division of the department; ~~[and]~~
- (4) commissioned security officers as defined by Section 1702.002, Occupations Code; *and*
- (5) *employees of a district attorney, criminal district attorney, or county or municipal attorney whose jurisdiction includes any criminal law or child protective services matters.*

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2005.

Passed the Senate on March 17, 2005: Yeas 30, Nays 0; passed the House on May 25, 2005: Yeas 143, Nays 0, two present not voting.

Approved June 17, 2005.

Effective June 17, 2005.